

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHAUN ROBERTS and KEN SHEPPARD,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

STEPHEN EHRLICH, and EVAN
PSAROPOULOS,

Defendants.

Case No. 1:22-cv-09590-PKC

CLASS ACTION

Judge: Hon. P. Kevin Castel

Date: October 8, 2024

Time: 2:00 PM

**SUPPLEMENTAL DECLARATION OF SEAN T. MASSON IN SUPPORT OF
REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF MOTION FOR (I)
FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND PLAN
OF ALLOCATION; AND (II) AN AWARD OF ATTORNEYS' FEES,
PAYMENT OF LITIGATION EXPENSES, AND AWARD TO
PLAINTIFFS FOR THEIR COSTS AND EXPENSES**

I, Sean T. Masson, declare as follows pursuant to 28 U.S.C. §1746:

1. I am a partner at Scott+Scott Attorneys at Law LLP (“Scott+Scott”). Scott+Scott, along with Taylor-Copeland Law was appointed Lead Counsel (together, “Lead Counsel”) for Lead Plaintiffs Johnny Johnson, Eirian Johnson, and Ezra Boekweg in the above-captioned securities class action (the “Action”).¹ I have personal knowledge of the matters set forth herein based on my participation in the prosecution and settlement of the claims asserted on behalf of the Settlement Class in this Action.

2. The deadline for submitting a request for exclusion of the Settlement was September 17, 2024. The Notice and Summary Notice informed Class Members that requests for exclusion from the class had to be postmarked no later than September 17, 2024. The Notice directed Class Members who wished to request exclusion to mail their requests to Lead Counsel at my attention. The Notice also set forth the information that needed to be included in each request for exclusion.

3. To date, Lead Counsel has received two timely and valid requests for exclusion and recommends that the Court accept these requests for exclusion. Attached hereto as **Exhibit A** are the requests for exclusion from the proposed Settlement Class.

4. The deadline for objecting to the Settlement, Plan of Allocation, Lead Counsel’s request for attorneys’ fees and reimbursement of litigation expenses, and Plaintiffs’ request for an award for their costs and expenses was September 17, 2024. The Notice informed Settlement Class Members that objections needed to be in writing and filed with the Court and delivered to Lead Counsel and Settling Defendants’ counsel by that deadline. To date, Lead Counsel has not

¹ All capitalized terms not otherwise defined herein have the same meaning as those set forth in the Stipulation and Agreement of Settlement and Release (the “Stipulation”), dated April 3, 2024 (ECF No. 83-1).

received any objection to any aspect of the settlement, plan of allocation, or to Lead Counsel's request for attorneys' fees, reimbursement of litigation expenses, and Plaintiffs' request for an award for their costs and expenses.

5. Attached hereto as **Exhibit B** is the [Proposed] Final Order and Judgment Granting Final Approval of Class Action Settlement.

6. Attached hereto as **Exhibit C** is the [Proposed] Judgment and Order Approving Plan of Allocation.

7. Attached hereto as **Exhibit D** is the [Proposed] Judgment and Order on Lead Counsel's Motion for Award of Attorneys' Fees, Payment of Litigation Expenses, and Award to Plaintiffs for Their Costs and Expenses.

8. Attached hereto is **Exhibit E** are the documents that form the current Voyager bankruptcy plan: (a) the Plan Administrator Agreement; and (b) Order (I) Approving the Second Amended Disclosure Statement, and (II) Confirming the Third Amended Joint Plan of Voyager Digital Holdings, Inc., and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code, *In re Voyager Digital Holdings, Inc.*, Case No. 22-10943 (Bankr. S.D.N.Y.) (ECF No. 1159).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York on October 1, 2024.

/s/ Sean T. Masson
Sean T. Masson

CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will automatically provide notice to all counsel of record.

s/ Sean T. Masson
Sean T. Masson